IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 764 OF 2005

in

SUIT NO.739 OF 1979

M/s NESCO Ltd .. Plff

vs

M/s Steel Authority & India Ltd .. Deft

..

Mr N.A.Shah for Plff

Mr Girish Desai for Deft

..

CORAM: D.G.KARNIK, J

DATE: 30th June, 2005

P.C.

1. This Chamber Summons is taken out by the plaintiff in a suit which is listed on board for hearing. Learned counsel for the parties submit that in view of Rule 156 of the Bombay High Court (Original Side) Rules Chamber Summons is to be heard not by the Chamber Judge but by the Judge before whom the suit is pending. Parties rely upon

a judgment of the Single Judge of this court reported in Godavari Sugar Mills Ltd vs The Kopargaon Sahakari Sakhar Karkhana Ltd (Suit No.1636 of 1979) on 11th February, 2000.

2. Submission is accepted and Chamber Summons is taken up for hearing by consent.

3. By consent of the parties Chamber Summons is allowed in terms of prayer clause (a). Amendment to be carried out forthwith.

D.G.KARNIK, J